



A MONTHLY ELECTRONIC NEWSLETTER TO THE 41ST ASSEMBLY DISTRICT
(Including Agoura Hills, Calabasas, Encino, Malibu, Hidden Hills, Lake Sherwood, Oak Park, Pacific Palisades, Port Hueneme, South Oxnard, Santa Monica, Tarzana, Topanga, Westlake Village, and Woodland Hills.)

JUNE 2004 ISSUE

State Budget in the Hands of “Big Five”

With July 1 the constitutional deadline for passing the state's 2004-5 budget, the four legislative leaders (Senate President Pro Tem John Burton, Senate Minority Leader Dick Ackerman, Assembly Speaker Fabian Nunez, and Assembly Minority Leader Kevin McCarthy) are meeting with Governor Schwarzenegger (collectively known as the “Big Five”) on a daily basis to try and agree on a new state budget, and on time.

The vast majority of the over \$100 billion state budget has already been agreed upon. There are, however, several issues still being negotiated, which leave substantial uncertainties in trying to balance revenues against expenditures.

1. **Indian Gaming** The budget assumes that the Governor has finalized his negotiations with five tribes to obtain a share of their revenue for the state. A portion of any such negotiated share would go to transportation and road improvement projects.
2. **Prison Guard Raises** The budget assumes yet-to-be-finalized renegotiation of past prison guard salary increases.
3. **Higher Education** Democrat legislators and the leadership team are actively supporting efforts to restore cuts made to higher education which will reduce enrollment, including qualified students accepted to CSU and UC schools who will otherwise be sent to community colleges instead; restoring outreach efforts; and reducing the amount of proposed tuition increases for community colleges (\$11/unit in 2003, \$18/unit in 2003-04, \$26/unit in 2004-05). An educated workforce is critical to California's economy.
4. **Review of Tax Loopholes and Tax Credits**
 - For example, legislators have discovered that some of the wealthiest people in the state are buying yachts in California, but then move them just across the border to Mexico. Once they are docked in Mexico for 90 days, they become exempt from state taxes. Interestingly, the roughly \$55 million that would be saved annually by closing just this one scheme would essentially eliminate all the above cuts that are being made to higher education.
 - As another example, would it be better to increase tax credits to provide an incentive to movie studios to stay in California to do their filming and eliminate another tax credit that is not as high a priority to offset it?

One of the procedural problems is that although it takes only a simple majority vote to add a tax credit, it takes a 2/3 vote to eliminate one. Billions of dollars worth of tax cuts or tax credits were added during the boom years before I was elected. The Legislature has held hearings to review the effectiveness of various tax credits, but so far neither the Governor nor the Republicans will consider any tax-related issue, including substituting a tax credit that is not achieving the desired result for one that would be beneficial.

5. **Support Services** Restoring some of the funding that was cut from In-Home Support Services, which is a very cost-effective way of caring for the elderly and disabled compared to expensive hospitalization and institutions; and restoring childcare subsidies for working mothers to help keep them off public assistance.
6. **Local Government** The “triple-flip” deal that the Governor made with local government representatives, swapping and deferring revenues historically belonging to cities and counties, is still subject to debate in the legislature. There is still concern by some legislators that the agreed-upon constitutional amendment to local

governments in future funding could reduce options in future years and possibly impact Proposition 98, the K-14 education guarantee. Many small rural cities will go bankrupt from the proposed loss of revenues for two years which the Governor is calling their "contribution" to the state deficit.

7. **Fee Increases for Certain Services** Discussion of increasing fees for maintaining services related to things like fire protection, air quality, water quality and supplies, etc. For example, the Governor's office and CalEPA Secretary Terry Tamminen have proposed a creative way to raise \$61 million to reduce diesel emissions by increasing the fee for smog checks, but requiring them to be done less frequently. The higher fees would be used to buy up or retrofit old diesels, which some experts estimate could reduce air pollution by an additional 12 tons/day. Diesel exhaust is a major source of our dirty air, increased asthma rates, etc. (See AB 1493 story, below.)
8. **Pension Cuts** Pensions to government employees are also being considered for reductions.

Although neither the Governor nor the Republicans will put taxes on the table, many Democrat legislators would support a 1% personal income tax increase for people who make in excess of \$500,000/year. This single action could avoid cuts to K-12 education, colleges, and transportation. It could also reduce the ongoing borrowing and deferrals into our future that concern the state's nonpartisan Legislative Analyst in her comments on the state's long-term financing.

California is one of only three states in the country that requires a 2/3 vote of the legislature to pass a budget. This means that a small minority of legislators can, and often do, create a budget standoff or force concessions that may not be in the long-term best interest of our 35 million Californians. The Governor also has the authority to "blue pencil" any line item in the budget.

AB 1493 – Vehicle Emissions Regs Released

Climate change is real, and in 2002 my first-in-the-nation bill, AB 1493, regulating greenhouse gas emissions from cars and light-duty trucks was signed into law. Heat-trapping gases caused by fossil fuel combustion are making our air dirtier, and in the Central Valley we are seeing a serious increase in respiratory-related health problems such as soaring childhood asthma rates. One of every seven Fresno school children currently bring inhalers to school. The Sierra snowpack is melting early, affecting agriculture and urban water users.

AB 1493 requires the California Air Resources Board (CARB) to develop "cost-effective, maximum feasible" reductions in greenhouse gas emissions across all classes of vehicles. To allow automakers ample time to comply, the regulations apply only to the 2009 model year and thereafter. These reductions can be achieved across all classes of vehicles, and will not reduce the types of cars that people want to drive.

On June 14, the CARB released their draft regulations. They are proposed to be phased in, with near-term standards phased in from 2009 to 2011, and mid-term standards from 2012 through 2014.

Although it has been shown that significant reductions in "tailpipe" emissions can be made with currently-available technologies, the auto industry continues to fight the new regulations with the same vigor that they fought seatbelts, airbags, and catalytic converters.

A series of workshops and meetings will be held across the state to receive public comments on the draft regulations.

TIMETABLE FOR IMPLEMENTATION

June 14, 2004	Draft regulations released
July 7	First workshop to receive public comments
August 6	Final draft regulations to be presented to ARB
September 23	ARB hearing for adoption
Early 2005	Assembly to hold public hearing as information item (no vote) to review regulations.
Jan. 1, 2006	Effective date for regulations. Begins with 2009 model year passenger cars and light-duty trucks.

For further information, including fact sheets, background information, and details on the public workshops, visit the CARB website at www.arb.ca.gov/cc/cc.htm.



Popular Santa Monica Concert Series Returns

For the third straight year, the Southern California AQMD will help to educate an estimated 100,000 concert-goers on how to do their share for cleaner air as one of the primary sponsors of the **Twilight Dance Series** on the Santa Monica pier. This year's series of ten free concerts, presented by AQMD Clean Air Stage, starts on **July 1**, and continues at 7:30 p.m. every Thursday evening through September 2.

The AQMD will use the concerts to launch its **Clean Air Choice** summer campaign. The intent is to focus consumer attention on the lowest-emitting new cars available through a window sticker program, with one or more **Clean Air Choice** vehicles at each concert. These include cars, trucks, mini-vans, sports cars, and SUVs. The complete list of qualifying vehicles is available online at www.cleanairchoices.org.

This is a wonderful opportunity to spend a summer evening on the Santa Monica pier, enjoying a free concert, and breathing the clean ocean air.

AB 2346 Will Support At-Risk Youth

The California Police Activities League (PAL) is a nonprofit organization founded 30 years ago by a group of police officers. In 1991, PAL began to focus on youth by sponsoring sporting and other activities for children that would take place in a safe and supervised environment. PAL's mission is to effect a substantial reduction in juvenile crime through proactive community policing, and over 300,000 youth, including many at-risk children, are now participating in PAL programs. Two very successful and well-used PAL programs are operating in Oxnard and Santa Monica.

I am a co-author of **AB 2346 (Corbett)** which would allow taxpayers to voluntarily designate on their state tax forms that a specified amount in excess of their tax liability be transferred to the California PAL fund. This new "check off" item would not be added to the tax form until another voluntary contribution designation is removed.

The bill passed out of the Assembly on a vote of 63-3 and is now in the State Senate for action.

An Epidemic of Overweight and Unfit Children

State and local park entities are increasingly making the link between childhood obesity and the degree of participation by children in outdoor and physical activities. The *California Center for Public Health Advocacy* analyzed the 2001 California Physical Fitness Test of fifth, seventh, and ninth graders, and released some very troubling statistics, broken down by Assembly District.

Results show that among all students in the 41st Assembly District, for example:

- **25.1% of children are overweight.**
- **35.7% of children are unfit.**

Across all districts, 26.5% of children are overweight and 40% of children are unfit.

Overweight children face a greater risk of developing health problems such as Type 2 diabetes, high blood pressure, and asthma. 50% of obese adolescents become obese adults, putting them at much higher risk for heart disease, cancer, stroke, and diabetes later in life.

Physical inactivity and nutrition-related diseases are the second-leading cause of preventable death, surpassing AIDS, violence, car crashes, alcohol, and drugs combined. Obesity costs California an estimated \$14.2 billion every year in direct medical costs and lost productivity.

The California Park & Recreation Society has created a VIP Action Plan to try and promote physical activity across entire communities. They are encouraging local government to implement health policies through their departments of recreation and parks; working with schools to add and improve physical education programs; and influencing planning policies that will create an environment to promote a more active lifestyle.

Discover The Santa Monica Mountains

The Santa Monica Mountains Conservancy has just unveiled a wonderful new website to help you discover the best parks, perfect outdoor wedding locations, naturalist-led hikes, volunteer opportunities, and more. Go to www.lamountains.com and you will find a world of information about ways to enjoy our local mountains. There are links to hiking, equestrian, and bike trails; parks for you and your dog; help if you're looking for locations for your film or photo shoot; garden tours; and much more. The Santa Monicas are a local treasure to be enjoyed by all in countless ways. Visit this great new site and plan your weekend with an outdoor adventure right here in our own backyard.



Title IX Celebrates 32nd Anniversary

June 23 will mark the 32nd anniversary of Title IX, the law that forced public schools to develop equity in the use of funds for both boys and girls athletic programs. Henceforth, women and girls would be given equal weight with men and boys with respect to accessing and participating in athletics.

Today, thanks to Title IX, we have professional women sports leagues, such as the Women's National Basketball Association and the Women's United Soccer Association, neither of which would likely have been possible but for Title IX.

Last year, however, a commission appointed by President Bush released a report that asks elected officials to consider proposals that would significantly weaken Title IX. As a result, the California legislature worked on legislation to urge Congress and the federal bureaucracy to refrain from doing so. And this year, three measures were introduced in the Assembly on gender equality.

Participation in sports has been acknowledged as a positive force in developing and promoting physical, mental, moral, social, and emotional well-being, as well as building self-esteem, communication skills, discipline, and perseverance. Over the past 32 years, Title IX has broken down countless barriers for women and girls in education and sports, and I salute these 32 years of progress.

We will see the benefits of Title IX in our Olympic athletes this summer.

First 5 LA Connect

First 5 LA is a citizen initiative approved by the voters in 1998. It created a program to "promote, support, and optimize" the early development of children from the prenatal stage until their fifth birthday. It is funded with tobacco tax dollars that are divided among California's 58 counties.

NexCare Collaborative maintains the **First 5 LA Connect** helpline and website for L.A. County residents. It provides information, referrals and assistance of all kinds out of their state-of-the-art offices in Sherman Oaks. Trained specialists are ready to help callers get speedy answers to virtually any question, including on prenatal care, children's health and education, childcare, health insurance, finding a doctor or dentist, immunizations, housing issues, counseling, or even how to help a baby go to sleep.

Their website, at www.first5laconnect.org is very user friendly and is a quick way to find help, including services closest to home based on zip code. You can also call toll-free to (888) 347-7855.

Yet Another Scam Out There

After receiving a copy of the "Scam Alert" brochure that I recently mailed out, I got a letter from a constituent informing me of a scam that arrived in his mailbox. He received a letter from a lottery sweepstakes company with an address in Spain. It advised him that he had "been approved" for a lump sum payment of in excess of \$615,000. All he had to do was give his bank account name and number and provide them with full authorization to process the supposed transfer of funds directly into his account. This would, of course, have allowed the company to electronically drain his account. He was wise enough to check first, and confirmed that it was a fraud. Financial information should always be kept private unless you know with whom you are dealing.

To receive a copy of my informative "Scam Alert" brochure, you can either call my district office, or e-mail your request to me at assemblymember.pavley@assembly.ca.gov, and it will be mailed to you immediately.

Mature Driver Workshop Held

Last year, a tragic accident in Santa Monica involving an elderly driver heightened everyone's awareness of the need for all drivers to know their limitations and to keep their driving skills honed. On Friday, June 18, I co-hosted, along with the California Highway Patrol and the City of Malibu, a Mature Driver Workshop.

Richard Green, an AARP certified teacher, and CHP Officer Leland Tang, both addressed a group of roughly 30 at the Malibu Senior Center in their city hall. He discussed all the issues that are now facing our ever-growing baby boom population, including increased traffic, reckless drivers, road rage, cell phones, and other distractions while in the vehicle. Green, a former LAPD police captain, stressed the importance of being an assertive driver. He explained that as we get older, our reaction times decrease, as do our vision and hearing.

Although this was only an informational workshop, participants expressed an interest in taking a certified class, which is recognized by many insurance companies to give mature drivers discounts.

El Camino Real High School Does it Again

For the third time in seven years, El Camino Real High School – part of the L.A. Unified School District in Woodland Hills -- has won the 2004 National Academic Decathlon. This remarkable achievement follows wins in 1998 and 2001. A total of 42 teams from 41 states and British Columbia, Canada, competed in this April event. El Camino entered the competition with the highest state score of any of the 41 other teams, scoring a total of 50,656 points out of a total of 60,000.

Students were tested on the achievements of explorers Lewis and Clark as part of this year's theme, "America: The Growth of a Nation." They were also tested in art, economics, essay writing,

interviewing, language and literature, music, and science.

I was delighted to join in honoring them in Sacramento on the Assembly floor on Thursday, June 3. Warmest congratulations to El Camino Academic Decathlon champions Cassidy Ellis, Gary Fox, Jonathan Lin, Patrick Liu, Eric Rasyidi, Adam Singer, Chris Taylor, and Adrian Wittenberg. All are graduating seniors. And recognition is also due to their coaches, Melinda Owen, Mark

Johnson, and Rebecca Gessert, for all their hard work in helping these extraordinary students bring home the national championship yet again.

Equally impressive is the fact that El Camino has won the state Academic Decathlon six times.



Ventura County Residents are Recycling Electronics

Electronic equipment, like old computers, printers, monitors, fax machines, televisions, VCRs, microwave ovens, cell phones and other similar items contain toxic metals that can leak out and contaminate ground water if put in the ordinary trash and sent to landfills. Ventura County has two recycling centers that will accept up to 125 lbs., or three computer monitors or TV sets every month, from County residents to make it easy to properly dispose of them.

- **Del Norte Recycling Center**, 111 S. Del Norte Blvd., Oxnard
Open from 7:00 a.m. to 4:00 p.m. Mondays through Saturdays. (805) 278-8200
- **Gold Coast Recycling**, 5275 Colt Street, Ventura
Open from 5:00 a.m. to 5:00 p.m. Mondays through Saturdays. (805) 642-9236

For more details on recycling programs, call (805) 654-2889, or visit www.wasteless.org.

-- Save the Date --

Air Quality Workshop co-sponsored by Congressman Henry Waxman
and Assemblymember Fran Pavley

“Why is our air getting dirtier? The good, the bad, and the ugly.”

Friday morning, August 6, 2004

Encino-Tarzana Regional Medical Center

18321 Clark Street, Tarzana

DETAILS TO FOLLOW IN THE JULY NEWSLETTER

Heroes of Ahmanson Ranch

Heal the Bay held a huge celebration on June 3 to recognize and honor the major players in the successful fight to save Ahmanson Ranch. Now permanent public parkland, it has been renamed the **Upper Las Virgenes Canyon Open Space Preserve**.

Over 1,000 people gathered on a beautiful evening on the Santa Monica pier to mark this amazing acquisition. Honored as “Ahmanson Heroes” were:

*L.A. Mayor Jim Hahn
Rob Reiner
Assemblymember Fran Pavley
Mati Waiya
Congressman Brad Sherman
Mary Nichols
Mary Wiesbrock
Senator Sheila Kuehl
L.A. Councilmember Dennis Zine
Calabasas Councilmember Dennis Washburn
Chris Albrecht
V.C. Supervisor Linda Parks
Joe Behar
L.A. Supervisor Zev Yaroslavsky*



Also very deserving of recognition are the very important roles that Heal the Bay, the City of Calabasas, and the Santa Monica Mountains Conservancy played, plus the literally thousands of residents throughout the entire region who were determined that this very significant and pristine property be preserved forever.

Assemblymember Pavley's Committee Assignments

Appropriations Committee
Arts, Entertainment, Sports, Tourism, and Internet Media Committee
Budget Committee
Education Committee
Transportation Committee
Water, Parks and Wildlife Committee
Select Committee on California Ports
Select Committee on Coastal Protection
Select Committee on the Future of California's Health
Select Committee on National Defense, Technology and Jobs
Select Committee on Sustainability
Select Committee on Title IX
Chair, Select Committee on Air and Water Quality
Chair, Select Committee on Hydrogen and Other Alternative Fuels
Chair, Budget Subcommittee #3 on Resources
Legislative Advisory Committee – Wildlife Conservation Board
Legislative Advisory Committee – California Coastal Conservancy
Santa Monica Mountains Conservancy Board

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If you know of anyone who you think would like to receive these newsletters, please e-mail their name, mailing address and e-mail address, and I'll be happy to add them to my list.

